

PAT
LEONARD'S
Comments

Developing a purpose and need statement that leaves everyone happy, or at least not too unhappy, while still describing an actual "purpose" and "need" is not easy. I'm not especially proud of the work we did on the PEIS purpose and need statement; essentially, everyone compromised so much that we could all live with--and without--it. That is, I doubt anyone has looked back at the p&n statement in the last year and a half (note that Rick apparently wasn't able to find the "final draft" version to distribute as an example), and it has played no role I can identify in the development of alternatives for the PEIS. I'm not sure that the time, effort, and patience we all put into that p&n statement was worthwhile in the end, and I'd hate to see that repeated here. Maybe we should just get on with it.

However, I also remember Will Tully lecturing me over and over again about the importance of the p&n statement for the Friant EIS. So, I do have a few comments; I'll try to keep them brief.

I think the draft statement is too fragmented; maybe the identification of "objectives" is at the wrong scale. Actually, I think this whole use of "objectives" is just a convenience--they were already available--that is rationalized by the earlier discussion of NEPA and CEQA. After a five paragraph discussion of NEPA, there is a "summary", which claims that the "'purpose' describes the objectives or standards that the proposed project and alternatives are intended to achieve", even though the five paragraphs being summarized never once mention "objectives" or "standards". Objectives of this sort don't seem to be included in the "purpose" part of any of the example programmatic statements attached to the draft.

This isn't to say these "objectives" aren't useful as some kind of performance standards; if they were more specific (instead of "increase" or "reduce"), they could actually be used to determine whether or not a proposed alternative did meet the purpose and need statement. As a purpose statement itself, though, they seem a little shallow.

I think the entire purpose section should be replaced by something that captures the idea of "finding a solution to all of the problems of the Delta". I hope there's a better answer to the question: "What is the purpose of the Bay/Delta program?" than (trying to type in the mechanical monotone this "answer" suggests): "The Bay Delta Program is intended to achieve objectives in each of four areas:" Isn't there something that ties it all together?

I do have a few specific comments about the language of the objectives. First, as mentioned before, it's pretty vague--we want to "improve and increase", "reduce", "provide", and perhaps worst of all, "manage the risk" (apparently we don't even want to "reduce the risk"--we just want to manage it). I guess if you get enough biologists and engineers together, they start to write like lawyers. Until we define what we mean, with real objectives and standards, we have a purpose and need statement based on meaningless intentions.

How can that help us define and narrow the range of alternatives?

There seems to be a surplus of gratuitous judgemental terms in the discussion of ecosystem quality. For example, which are "diverse and valuable plant and animal species?" Perhaps more importantly, which are not? and who decides? I assume this isn't the intent of the language, but it's the suggestion it leaves. It's repeated in other terms (especially "native and other desirable . . .", and "important wetland habitats"). In this case, until these objectives can be more specifically defined, they are actually confusing (not just meaningless).

It seems unusual to have the section on "geographic scope of the program" in the middle of the purpose and need section. It might make more sense as a separate section; it would also be valuable to discuss in the "need" section, since it helps define the actual need.

The need statement sounds almost rosy; if that's the extent of the problem, why are we spending all this money? Again, the fragmentation is a problem; it is especially annoying in the need section, since so many of these problems are so intimately connected. One way to address this would be to expand the 1st sentence of the second paragraph: describe the "serious problems facing the region" and "the complex resource management decisions that have to be made". The four problem-oriented summaries certainly don't give the impression of serious problems--and they certainly don't convey the fact that the decisions to be made are so complex simply because the problems are so closely intertwined.

The first paragraph of the need section needs substantial revision. At best it should be considered "background" material; it doesn't even begin to identify "needs". More importantly, it reflects a basic (in fact, very basic) misunderstanding of ecological mechanisms. Simply put, "size and complexity" are not the reasons why the Delta "supports a wide variety of fish, wildlife, and plant life". Complexity (without any modifying description) is of course not a mechanism at all--it's just another way of saying the system supports a relatively large number of species. (What's the difference between a "complex ecosystem" and an "ecosystem that supports a large number of species"?) And size is simply not an important determinant of this kind of complexity (otherwise really large ecosystems--the ice caps of Greenland and Antarctica, for example--would support a large number of species).

Rather than pretend we can supply simple explanations of why the Delta supported a large number of species, we should simply state the problem, something like: "Historically, the Delta was a complex ecosystem that supported a large number of species . . .", with some description of these species and their habitats.

It seems critically important to note that the Delta "supported", not "supports", a complex ecosystem. I'm surprised that we don't seem able to admit in the purpose and need statement that in fact

"the Delta is broken", and that our purpose here is to identify a way to fix it. (Of course I shouldn't be too surprised; I had to change the PEIS purpose and need statement so that it didn't say "improving CVP operations", just "changing" them. We wouldn't want to admit we've been making any mistakes over these past few decades.)

I'll finish with a few comments about the "four basic areas that need to be addressed" (I guess that's what is meant by "need?"): these seem to better describe problems, but not necessarily needs. That is, water quality in the Delta is a problem, but the need is more basic. For example, urban users clearly "need" high quality drinking water--but they don't "need" high quality water in the Delta. I think these need to be more clearly stated if we're going to have a real range of alternatives to consider.

On the purpose and need statement, I have a lot of comments, but it would take a while to make them presentable. If the purpose and needs statements

really do provide a framework for developing alternatives, then I do not like this purpose and need statement. Some minor specifics:

The "Background" section makes Bay-Delta "stakeholders" sound like one big happy family. I do not think this is accurate, or that it is in the interest of a planning study to start out by presenting a false view of itself. Although there is nothing wrong with a little optimism, this is a little too rosy for real-life planning. It makes this whole effort look a little bit like a scam.

The "Ecosystem Quality" description in the purpose tends to make it seem as though improving habitat will solve problems in the Delta. I do not think that this has been demonstrated. The section tends to reduce the importance of water to the Bay-Delta ecosystem, and replace it with the promise of Rube Goldberg improvement projects.

Having one of four sections be titled "Water Supply Reliability" tends to diminish the fact that there is not enough water to meet every demand. There is an assumption that water supplies can be made infinitely "reliable", which is exactly what has created oversubscription to begin with.

Having one of four sections titles "Vulnerability of Bay-Delta System Functions" also tilts the discussion in a certain direction. The section is about absolutely nothing but levees. It should be called "Levee Maintenance", without the bogus references to system functions. I have not yet been able to figure out why it is one of the four sections, but have bleak suspicions about it. The one effect it could have on planning is to enhance committment of millions of dollars to levee maintenance, and remove the opposition of levee enthusiasts to a peripheral canal.

On page 8, under ecosystem quality, why say "since the Gold Rush?" I think they're thinking about hydraulic mining impacts that occurred somewhat later than the Gold Rush.

In Water Supply paragraph, "the needs" should be changed to "the demands."

The paragraph is basically twisted. It should say that the reliability of

water supplies for fish and wildlife is increasingly uncertain as a result

of demands for cheap agricultural water and for municipal and industrial water. The section is unbalanced and tilts toward water development.

The title "Vulnerability of Delta Functions" should be changed to "vulnerability of levees."

I don't expect these comments to be very useful. On the other hand, I don't think the purpose and need statement is as important as whoever is writing this one thinks it is. I don't think we have any compelling reason to comment on it.

Need:

Ecosystem Quality - "Delta ecosystem does not provide sufficient quality habitats and valued species"

COMMENT: What are valued species? The connotation is species of commercial or recreational value. Replace this with: "Delta ecosystem does not provide sufficient quality habitats and diverse, abundant, and well distributed species."

Page 1, Purpose, Ecosystem Quality: "Improve and increase aquatic and terrestrial habitats and improve ecological functions in the Bay-Delta to support sustainable populations of diverse and valuable plant and animal species."

COMMENT: Similar to above, the word "valuable" has connotations that may not be appropriate here. In this sentence, replace "diverse", with "abundant and well distributed".

Page 1, Purpose, Ecosystem Quality, third bullet: "Increase population health and population size of Delta species to levels that assure sustained survival".

COMMENT: "Increase population health" is too vague. Replace with: "Increase population distribution".

Page 3, Need, Ecosystem Quality: "The ecosystem in the Delta does not provide sufficient quality habitats and valued species".

COMMENT: Once again, replace "valued" with "diverse, abundant, and well distributed".

Page 3, Need, Ecosystem Quality: "Populations of many fish species have declined to their lowest levels, and the number of fish and wildlife species needing special protection is increasing".

COMMENT: After this sentence, add: "In addition to the factors already listed, fish species are susceptible to losses due to entrainment in diversions and reductions to fresh water flows that transport larvae to suitable rearing habitat and maintain that habitat in productive areas".

It's hard to add anything to the fine comments already supplied. I too don't like the objective statements. I second the comment that "manage the risk" is weak. Is that all the group is trying to do? The objectives make it sound like all we are concerned about is catastrophic inundation. The need statement should describe "the serious problems facing the region". The real problem is too many straws in the water, with not enough left in the delta for habitat. The real purpose is to hammer out a sustainable deal. Isn't it?